1 DANIEL G. BOGDEN United States Attorney 2 District of Nevada ANDREW W. DUNCAN 3 CRISTINA D. SILVA Assistant United States Attorneys 4 333 Las Vegas Boulevard South Suite 5000 5 Las Vegas, Nevada 89101 702-388-6336 6 UNITED STATES DISTRICT COURT 7 DISTRICT OF NEVADA -oOo-8 UNITED STATES OF AMERICA, 9 Case No.: 2:13-cr-00250-JAD-VCF Plaintiff, STIPULATION TO CONTINUE 10 EVIDENTIARY HEARING (Fourth vs. Request) 11 ROBERT KANE, et al., 12 Defendant. 13 14 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. 15 Bogden, United States Attorney; Andrew W. Duncan and Cristina Silva, Assistant 16 United States Attorneys, counsel for the United States of America, and Assistant 17 Federal Public Defender Raquel Lazo, counsel for defendant Carr; Jennifer Waldo, 18 Esq. counsel for defendant Coleman; Michael R. Pandullo, Esq., counsel for defendant 19 Panter; Brent Percival, Esq., counsel for defendant Congero, Thomas Pitaro, Esq., 20 counsel for defendant Kane; and Terrence M. Jackson, Esq., counsel for defendant 21 McNamara: 22 23 THAT THE EVIDENTIARY HEARING CURRENTLY SCHEDULED FOR 24 January 8, 2016 be vacated and set to a time convenient for the Court, no earlier than

1	30 days.	
2	1. Counsel for defendant Panter is unavailable for the current evidentiary	
3	hearing setting on January 8, 2016.	
4	2. The parties agree to the continuance.	
5	3. All of the defendants are out of custody and do not object to the	
6	continuance.	
7	4. Additionally, denial of this request for continuance could result in a	
8	miscarriage of justice as counsel for defendant is unavailable to participate in the	
9	hearing.	
10	5. This is the <u>fourth</u> request for continue the evidentiary hearing.	
11	DATED this 6th day of January, 2016.	
12 13		DANIEL G. BOGDEN United States Attorney
14		/s/
15		ANDREW W. DUNCAN CRISTINA D. SILVA
16		Assistant United States Attorney
17	/s/ JENNIFER WALDO, ESQ.	/s/ RAQUEL LAZO, ESQ.
18	Counsel for Defendant Coleman	Assistant Federal Public Defender Counsel for Defendant Carr
19		
20	/s/ MICHAEL PANDULLO, ESQ.	/s/ BRENT PERCIVAL, ESQ.
21	Counsel for Defendant Panter	Counsel for Defendant Congero
22	/s/	/s/
23	THOMAS PITARO, ESQ. Counsel for Defendant Kane	TERRENCE JACKSON, ESQ. Counsel for Defendant McNamara
24	Counsel for Defendant Rane	Counsel for Defendant Mervaniala

## 1 2 UNITED STATES DISTRICT COURT DISTRICT OF NEVADA 3 -oOo-4 UNITED STATES OF AMERICA, 5 Case No.: 2:13-cr-00250-JAD-VCF Plaintiff, ORDER 6 vs. 7 ROBERT KANE, et al., 8 Defendant. 9 10 FINDINGS OF FACT Based on the pending Stipulation of counsel, and good cause appearing 11 12 therefore, the Court finds that: 13 1. Counsel for defendant Panter is unavailable for the current evidentiary 14 hearing setting on January 8, 2016. 15 2. The parties agree to the continuance. 16 3. All of the defendants are out of custody and do not object to the 17 continuance. 18 4. Additionally, denial of this request for continuance could result in a 19 miscarriage of justice as counsel for defendant is unavailable to participate in the 20 hearing. 21 5. This is the fourth request for continue the evidentiary hearing. 22 23

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## Coses 2: 131-91-0405050-040A1Y-QCF DOORUMENT 1984 Filed 01/06/146 Pages 4 6 fof 4

<u>ORDER</u> IT IS ORDERED that the evidentiary hearing scheduled for January 8, 2016 be vacated and continued to Thursday, February 18, 2016, at 9:00 a.m. in Courtroom 6D. DATED this 7th day of January, 2016. UNITED STATES DISTRICT JUDGE